Prince Edward Island Human Rights Commission

HUMAN RIGHTS
DROITS DE LA PERSONNE

20th Annual Report 2002-2003

104-02303/

Prince Edward Island
Human Rights
Commission

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PE C1A 7N8

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de la personne
de l'Île-du-Prince-Édouard

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May 13, 2003

The Honourable Jeffrey E. Lantz
Attorney General
Minister Responsible for the
Prince Edward Island Human Rights Commission
PO Box 2000
Charlottetown PE C1A 7N8

Dear Minister Lantz:

Re: Prince Edward Island Human Rights Commission 20th Fiscal Report

On behalf of the staff and Commissioners of the Prince Edward Island Human Rights Commission, I present our 20th Report. This Annual Report includes the activities of the Commission, publications and the audited financial statements for the fiscal year from April 1, 2002, to March 31, 2003.

We submit this report to you for delivery to Her Majesty's Representative, the Lieutenant-Governor of Prince Edward Island.

Sincerely,

George S. Kells
Chairperson

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POWERS AND DUTIES OF THE COMMISSION

The Preamble to the Human Rights Act reads: "*it is recognized that in Prince Edward Island as a fundamental principle that all persons are equal in dignity and human rights*".

Since the enactment of the Human Rights Act on September 11, 1976, the Prince Edward Island Human Rights Commission has been empowered to:

- administer and enforce the Act
- develop a program of public information and education in the field of human rights to forward the principle that every person is free and equal in dignity and rights.
- advise government on suggestions, recommendations and requests made by private organizations and individuals.
- report as required by the Minister on the business and activities of the Commission.
- consider, investigate or administer any matter or activity referred to the Commission by the Lieutenant Governor in Council or the Minister.

The Human Rights Act is deemed to prevail over all other laws of the Province.

REMARKS FROM THE CHAIRPERSON

This year marked the end of our lengthy preparations for the CASHRA (Canadian Association of Statutory Human Rights Agencies) Conference when we hosted the annual gathering from May 26 - 28, 2003. I would like to thank our staff for their efforts in organizing a successful, informative and entertaining Conference. I would also like to thank the Government of Prince Edward Island for its generous support.

One indication of the Government's commitment to strengthen human rights protections is the announcement during the CASHRA Conference of the long-awaited Equity & Diversity Policy. The Policy will ensure that the Provincial Government, the Island's largest employer, will have a work force that reflects the diversity of our population. Consultations between Government and other interested parties in the development of the Policy demonstrates that a cooperative approach to the advancement of individual rights is more effective that an adversarial one. We look forward to helping Government implement the Equity and Diversity Policy to ensure that its goals are achieved.

This year Commissioners conducted three Panel hearings. The resolution of alleged human rights violations through directed settlement discussions has proved that Panels of Inquiry are the exception rather than the rule. However, many more panel hearings are scheduled than actually proceed, suggesting that the availability of the hearing process is a necessary part of the resolution of complaints.

One of the Commission's important goals is the efficient resolutions of human rights complaints. Our complaint resolution statistics show that most complaints are resolved within 9 months and only a few require a Panel of Inquiry. A Panel of Inquiry can be expensive and time-consuming, but the present system is more efficient than the system that formerly required the Minister to appoint a lawyer in private practice to conduct a Board of Inquiry. We continue to enhance the delivery of human rights dispute resolution through a timely and efficient hearing process.

Major General George S. Kells (Retired)

YEAR IN REVIEW

CASHRA Conference

The Canadian Association of Statutory Human Rights Agencies (CASHRA) is an umbrella group of Canadian Provincial and Territorial Human Rights Commissions. Each year one of the jurisdictions hosts a conference to provide a forum for the discussion of important human rights issues. This year the Prince Edward Island Human Rights Commission hosted the annual conference in Charlottetown from May 26 to May 28, 2002. Over 175 delegates from Commissions and non-profit organizations were in attendance. Among the seminars were the following:

Women at Work - "The Glass Ceiling Revisited"
Canada's Aboriginal Peoples - Employment Issues
Age Discrimination: New Issues in an Aging Populace
The Employer's Perspective - Cost of Accommodation
Promoting Diverse Workplaces
Accommodating Persons with Disabilities

Nancy Riche, President of the Canadian Labour Congress, gave the keynote address on the importance of human rights in the unionized work force and how unions can be a positive force for the development of human rights.

Staff Changes

Our long-time Education Officer Patricia Butler resigned in March 2003. We wish Patti best of luck in her future endeavours and we thank her for her service to human rights education.

Our Human Rights Officer Janet Christian-Campbell took a secondment to the Department of Health and Social Services to work as counsel with the Family Support Orders Program.

On March 10, 2003, we welcomed Jacqueline O'Keefe as our term Human Rights Officer. A graduate of Dalhousie Law School, Jacqueline was an associate in the private practice of law with the Charlottetown law firm of Foster Hennessey MacKenzie

COMMISSIONER'S PROFILES

GEORGE S. KELLS, CHAIRPERSON
Stratford

George Kells was appointed Chairperson of the Prince Edward Island Human Rights Commission on February 12, 1997. Prior to his retirement from the Canadian Armed Forces in 1993, Major General Kells held a number of senior level positions. Those positions included Deputy Chief of Staff, Operations Central Region, Trenton, Ontario; Director General, Conditions of Service, National Defence Headquarters, Ottawa; Chief of Personnel Services, National Defence Headquarters, Ottawa; and Canadian Defence Attache, Washington, DC. Altogether, Mr. Kells has served in four Canadian provinces and five foreign countries.

As Chief of Personnel Services, Mr. Kells had direct experience in personnel services policy including the areas of compensation and benefits, conditions of service, employment of women, and family support. As Director General, Conditions of Service, his duties included monitoring personnel policies, and creating policy and procedures to deal with morale difficulties, equal opportunities, official languages, and sexual harassment.

A native of Fredericton, Prince Edward Island, Mr. Kells attended high school at Prince of Wales College and received his B.A. in Commerce from the Royal Military College in Kingston, Ontario. Subsequent to his retirement, he was employed as the Canadian representative of an American consulting firm.

Since joining the Commission, Mr. Kells has attended administrative tribunal training sessions sponsored by the Atlantic Council of Administrative Tribunals. In 1998 he was appointed to the Board of the Council of Canadian Administrative Tribunals and is a member of the International Association of Official Human Rights Agencies (IAOHRA) and the Canadian Association of Statutory Human Rights Agencies (CASHRA). Mr. Kells' appointment to the Commission expires in February 2006.

RICHARD P. NOONAN, COMMISSIONER
Summerside

Dick Noonan was appointed Commissioner on February 12, 1997. A native of Summerside, Mr. Noonan is no stranger to the Commission, having served as Commissioner from 1985 to 1989. From 1990 to 1993, he served as a member of the Canadian Human Rights Tribunal.

In addition to previous experience at both provincial and national levels, Mr. Noonan has an extensive record of public service and experience in personnel matters. He served as Superintendent and Assistant Superintendent of Education in Regional Administrative Unit 2, Principal of Summerside High School and President of the Prince Edward Island Teachers Federation. Mr. Noonan started his education career of thirty-five years as a teacher of Social Studies and English. Prior to that he served two years active service and five years reserve in the Royal Canadian Navy.

Mr. Noonan received his Bachelor of Arts (History and English) from St. Dunstan's University, a Bachelor of Education from St. Francis Xavier and a Certificate in Administration from the University of New Brunswick. He later attended numerous school administration and professional development programs.

Since joining the Commission, Mr. Noonan has attended administrative tribunal training sessions in Halifax, sponsored by the Canadian Institute for the Administration of Justice. Mr. Noonan's appointment expires in February 2005.

ANGELA CORMIER, COMMISSIONER
Cape Egmont

Angela Cormier was appointed Commissioner on May 3, 2001. Ms. Cormier is the sole proprietor of AcA Consultants Inc. She is fluent in both English and French. She received French Immersion training at Université of Moncton. Ms. Cormier has training in business management, multimedia, communication, adult education and virtual community development. As well, she has a diploma from St. Francis Xavier University.

Ms. Cormier is a former board member of the PEI Advisory Council on the Status of Women, Evangeline Regional Services Centre, Association des femmes acadiennes et francophones de Île-du-Prince-Édouard and a former Charter Board member of East Prince Health Authority. Ms. Cormier was founder and facilitator of Evangeline Scouts, a member of the Advisory Committee for PEI Population Strategy, a member of the Advisory Committee for the restructuring of Health Services on PEI, and past president of Evangeline Home and School Association.

Since joining the Commission, Ms. Cormier has attended Administrative Tribunal Training sessions in Ottawa sponsored by the Canadian Centre for Management Development. Ms. Cormier's appointment expires in May 2004.

Prince Edward Island Human Rights Commission
April 1, 2002 - March 31, 2003
Complaint Statistics

ACTIVE COMPLAINTS

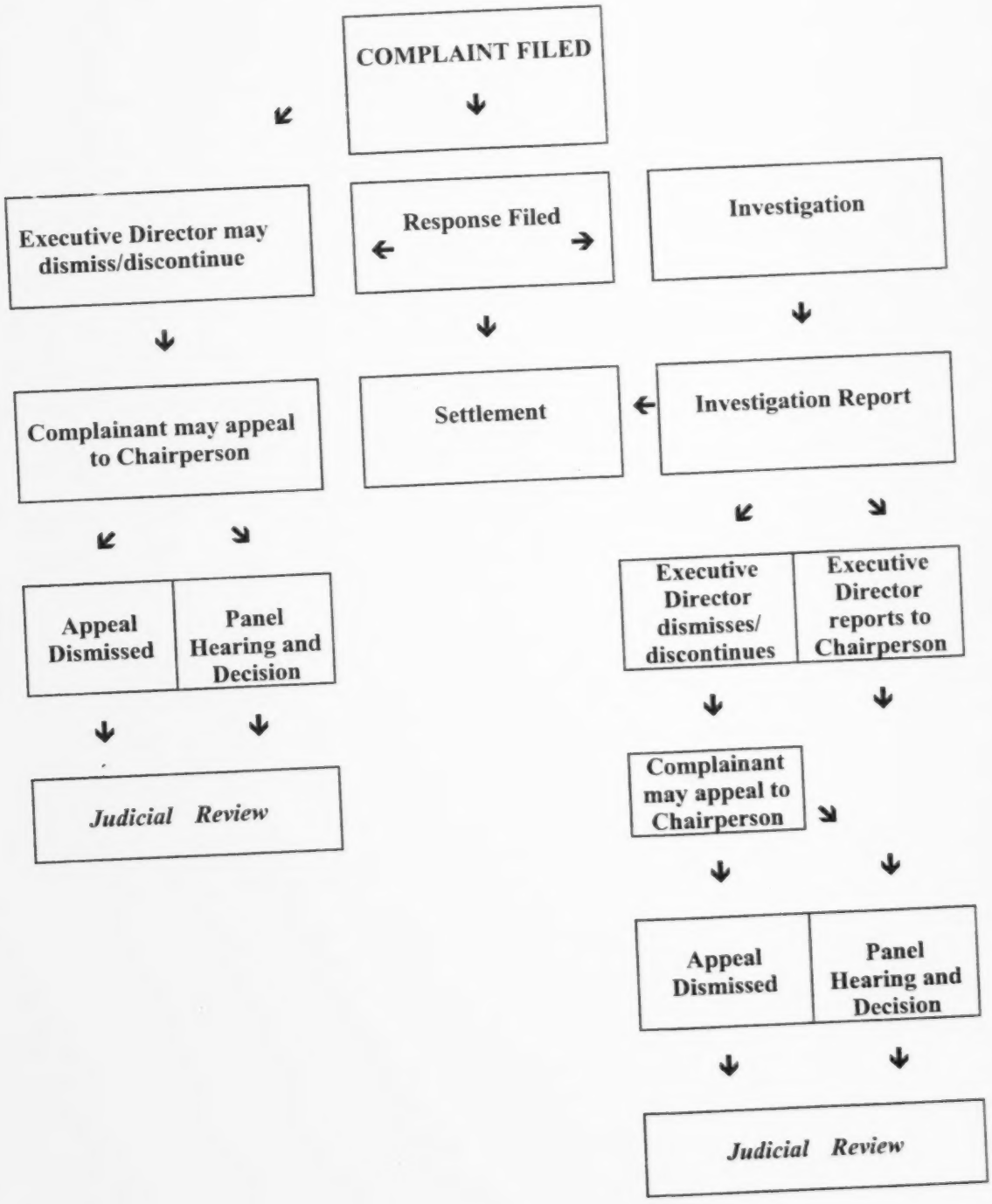
Prohibited Grounds of Discrimination	Carried over from 2001-2002		New Complaints Filed 2002-2003		Total Active Complaints in 2002-2003	
	Employment	Other Areas	Employment	Other Areas	Employment	Other Areas
Age	1	2	5		6	2
Association	3				3	
Criminal Conviction	3				3	
Ethnic, National Origin/Race/Colour		1		1		2
Family Status			1	1	1	1
Marital Status		1				1
Physical/ Mental Disability	10	7	10	10	20	17
Political Belief	5				5	
Religion/Creed			1	3	1	3
Sex	1	2	2	1	3	3
Sex - Harassment	3				3	
Sex - Pregnancy	1		3		4	
Sexual Orientation	2				2	
Source of Income		1	1	1	1	2
Complaint Filed on More Than 1 Ground	8	4	8	10	16	14
No Jurisdiction			2	5	2	5
Sub Totals	37	18	33	32	70	50
Totals	55		65		120	

Prince Edward Island Human Rights Commission
April 1, 2002 - March 31, 2003
Complaint Statistics

YEAR'S ACTIVITY

Prohibited Grounds of Discrimination	Settled	Dismissed/Discontinued	Withdrawn	Panel	Unresolved as of March 31, 2003
Age	2	1		1	4
Association		3			
Criminal Conviction	1	2			
Ethnic, National Origin/Race/Colour		1			1
Family Status					2
Marital Status		1			
Physical/ Mental Disability	4	8	6		19
Political Belief	2				3
Religion/Creed		4			
Sex		2			4
Sex - Harassment	1	1			1
Sex - Pregnancy	2	2			
Sexual Orientation	1	1			
Source of Income		3			
Complaint Filed on More Than 1 Ground		11	3	1	14
No Jurisdiction		4			4
Totals	13	44	9	2	52

PEI HUMAN RIGHTS COMPLAINT PROCESS



COURT DECISIONS

I. NOEL AYANGMA V. FRENCH SCHOOL BOARD AND EASTERN SCHOOL BOARD

Noel Ayangma filed two complaints with the PEI Human Rights Commission in 1998, alleging that the French School Board and the Eastern School Board had discriminated against him in the matter of employment over a period of ten years on the basis of race, colour, ethnic/national origin and age. The PEI Commission delegated the responsibility to investigate and attempt settlement of the complaints to the New Brunswick Human Rights Commission, due to concerns regarding potential perceived bias. A Compliance Officer at the PEI Commission was then delegated the responsibility of determining whether the complaints should be forwarded to a panel hearing. The Compliance Officer dismissed the complaints and the Chairperson of the Commission upheld the dismissals, on appeal. The Complainant applied to the Supreme Court of Prince Edward Island for judicial review of the Chairperson's decision in each complaint.

French School Board

In *Ayangma* v. *Prince Edward Island (Human Rights Commission)* (2001), 201 Nfld. & P.E.I.R. 231 (S.C.T.D.), DesRoches J. ruled that the Executive Director of the PEI Human Rights Commission did have jurisdiction to delegate his authority to the New Brunswick Commission and to the Compliance Officer. DesRoches J. held that the Compliance Officer's decision to dismiss the complaint and the Chairperson's decision to uphold the dismissal were not unreasonable. The application was dismissed.

The Complainant appealed the trial decision. In *Ayangma* v. *Prince Edward Island (Human Rights Commission)* (2002), 210 Nfld. & P.E.I.R. 266, the Appeal Division held that there was sufficient evidence to establish a prima facie case of discrimination and that the Executive Director Delegate had erred in not recommending a panel hearing of the complaint. The Court directed the Commission to establish a panel of inquiry, but limited the inquiry to allegations that occurred within the one-year limitation period preceding the filing of the complaint.

Commissioner Angela Cormier was appointed to hear the matter and it was brought before Panel on July 17 and 18, 2002, August 8 and 9, 2002, and September 16, 17, and 18, 2002.

The decision of the Panel was released on February 28, 2003. The Panel found that the Complainant had not been discriminated against by the French School Board and dismissed the complaints of discrimination. The Complainant has taken the Panel decision to judicial review but the matter has not been heard.

[The matter is currently pending appeal.]

Eastern School Board

In Ayangma v. Prince Edward Island (Human Rights Commission) (2001), 205 Nfld. & P.E.I.R. 231 (S.C.T.D.), Jenkins J. ruled that the circumstances of this case raised a reasonable apprehension that the PEI Commission was biased in this matter. Therefore, the PEI Commission should not have re-involved itself in the complaint following the NB Commission's investigation. Jenkins J. nullified the actions of the PEI Compliance Officer and referred the complaint back to the NB Commission to determine whether the complaint should proceed to a panel hearing.

In *Ayangma* v. *Prince Edward Island (Human Rights Commission)* (2001), 208 Nfld. & P.E.I.R. 318 (S.C.T.D.), the Complainant applied for an order of contempt against the Eastern School Board, two PEI government lawyers, the PEI Human Rights Commission, the New Brunswick Human Rights Commission and two of its employees. He also applied for an order of injunction to prevent the NB Commission from dealing with his human rights complaint and an order of mandamus compelling the PEI Commission to hold a hearing into his complaint. Jenkins J. dismissed the Complainant's applications but awarded him costs for disbursements due to the reasonableness of his application in the face of actions taken by counsel for the Eastern School Board.

In *Ayangma* v. *Prince Edward Island (Human Rights Commission)* 2002, PESCAD 12 (QL), the Prince Edward Island Supreme Court, Appeal Division, affirmed the trial judge's decision stating that the New Brunswick Human Rights Commission was not biased and could address the complaint as a delegate of the Prince Edward Island Human Rights Commission.

The New Brunswick Commission issued a Notice of Dismissal on November 18, 2002, which recommended that the complaint be dismissed and not proceed to a board of inquiry, as the facts did not support the Complainant's claim of discrimination on the grounds as submitted.

At the request of the Complainant, the Chair of the Prince Edward Island Human Rights Commission reviewed the delegate's decision. The Chair concurred with the Executive Director delegate's decision and agreed that the complaint should be dismissed on the basis that it was without merit. The Complainant filed an application for judicial review.

[The judicial review is scheduled for June 2, 2003.]

II. GAEL MATHESON V. THE PRESBYTERY OF PRINCE EDWARD ISLAND AND MURRAY HARBOUR NORTH PRESBYTERIAN CHARGE

Gael Matheson filed a complaint with the PEI Human Right Commission in 1998 alleging that the Presbytery of Prince Edward Island and the Murray Habour North Presbyterian Charge had discriminated against her in the matter of employment on the basis of sex. The Executive Director of the Commission dismissed her complaint on the grounds that it was filed outside the one-year limitation period specified in the Human Rights Act. The Chairperson of the Commission upheld the dismissal on appeal. The Complainant applied to the Supreme Court of Prince Edward Island for judicial review of the Chairperson's decision.

In *Matheson* v. *Presbytery of Prince Edward Island* (2001), 15 C.C.E.L. (3d) 128 (S.C.T.D.), the Complainant submitted that the alleged discrimination was of a continuing nature and included allegations that fell within the one-year limitation period. In her judgement, Matheson J. distinguished between continuing contravention of the Act and continuing repercussions of a contravention of the Act. She held that the Chairperson erred when he did not inquire into the alleged reprisals the Complainant referred to in her appeal. Matheson J. referred the matter back to the Chairperson for further review.

The Chairperson considered further submissions from the Complainant regarding alleged reprisals and directed that no further action be taken on the complaint. The Complainant has applied to the Supreme Court of Prince Edward Island for judicial review.

[The Supreme Court of Prince Edward Island is currently considering the matter .]

PANEL HEARING DECISIONS

1. Lorna DeWare v. Town of Kensington

Lorna DeWare filed a complaint with the Prince Edward Island Human Rights Commission alleging that the Town of Kensington discriminated against her on the basis of sex and marital status contrary to Section 6 of the Prince Edward Island Human Rights Act by failing to hire her as a Summer Constable. She also claimed that she was paid a different rate of pay than a male officer for substantially the same work, contrary to Section 7 of the Act.

Commissioner Richard Noonan was appointed to hear the matter and the matter was heard on October 22, 23, and 24, 2002 and December 10, 11, and 12, 2002.

Commissioner Noonan released his decision on January 3, 2003. He found that the Complainant had established a prima facie case of discrimination on the basis of sex (gender) and that the Town of Kensington had discriminated against the Complainant by failing to hire her. In addition, he found that the Town of Kensington had discriminated against the Complainant by paying her a lower rate of pay than the male officer who had previously occupied the position. Finally, he found there was no evidence to support discrimination based on marital status.

Commissioner Noonan ordered that the Town of Kensington prepare a letter of apology and that a letter of recommendation be provided to the Complainant. He ordered that the Town of Kensington recalculate the hourly rate paid to the Complainant by adjusting it up from $8.00 per hour to $10.00 per hour and that interest be calculated on the amount according to the Supreme Court of Prince Edward Island rate. The Complainant was compensated for the Town of Kensington's discrimination in employment on the basis of sex and, in addition, Commissioner Noonan ordered the Town of Kensington to compensate the Complainant in the amount of $4,000.00 for hurt and humiliation. The Panel urged the authorities in the Town of Kensington to develop and exercise proper policies when selecting, supervising, and evaluating all personnel in its employment.

2. Jennifer Jay v. Royalty Holdings Ltd.

Jennifer Jay filed a complaint with the Prince Edward Island Human Rights Commission alleging that Royalty Holdings Ltd. discriminated against her by failing to provide rental accommodation on the basis of age contrary to Section 2 of the Prince Edward Island Human Rights Act. The allegation was amended at the Panel Hearing to include the ground of family status in addition to age.

Commissioner George S. Kells, Chair of the Prince Edward Island Human Rights Commission, was appointed to hear the matter on November 5, 2002.

Commissioner Kells released his decision on December 20, 2002. He found that the Complainant had been discriminated against by Royalty Holdings Ltd. when it failed to provide rental accommodation to her and her family.

The Panel ordered that Royalty Holdings Ltd. provide a suitable letter of apology to the Complainant and refrain in the future from discriminating against families with children. Finally, the Panel ordered that Royalty Holdings Ltd. provide the Complainant with compensation in the amount of $500.00 for hurt and humiliation.

3. Noel Ayangma v. French School Board

Noel Ayangma filed a complaint with the Prince Edward Island Human Rights Commission alleging that the French School Board discriminated against him in employment based on colour, ethnic/national origin, and age contrary to Section 6 of the Prince Edward Island Human Rights Act. The complaint arose out of five different positions for which the Complainant was not hired.

The Executive Director dismissed the complaint as being without merit. The Complainant, pursuant to s. 25 (1) of the PEI Human Rights Act, requested a review of the decision by the Chairperson. The Chairperson dismissed the complaint and the Complainant then sought a judicial review pursuant to the Judicial Review Act R.S.P.E.I. 1988 Cap. J-3. The Trial Division judge dismissed the review and the Complainant appealed. The Appeal Division reversed the decision of the Trial Division and ordered that the complaint be heard by a Panel of Inquiry.

Commissioner Angela Cormier was appointed to hear the matter on July 17 and 18, 2002, August 8 and 9, 2002, and September 16, 17, and 18, 2002.

The decision of the Panel was released on February 28, 2003. The Panel found that the Complainant had not been discriminated against by the French School Board and dismissed the complaints of discrimination.

[The Complainant has sought judicial review.]

SETTLEMENTS

The following are examples of some of the human rights complaints that the Commission investigated and resolved during the 2002-2003 fiscal year:

AGE

Case 1: Employment
The complainant applied for an advertised position with the respondent, a company in the food service industry, and was told that she was too old. In a settlement reached by the parties, the respondent agreed to pay to the complainant compensation for general damages and to cease discrimination on the basis of age in employing staff.

CRIMINAL CONVICTION

Case 2: Employment
The Respondent employer fired the Complainant because he had been convicted of sexual interference with children. The Respondent claimed that the dismissal was necessary because other employees at the company refused to work with the complainant or might harm him as a reprisal for the conviction. In a settlement reached by the parties, the respondent agreed to pay to the complainant compensation for general damages.

DISABILITY

Case 3: Services
The complainant was attending at a public building to hear an announcement regarding new supports for the disabled. The complainant was refused entrance to the building because he was accompanied by an assist animal. The complainant uses a motorized wheel chair for mobility and his small dog sits in his lap. Staff enforced a policy of denying access to animals. In a settlement reached by the parties, the respondent agreed to amend the access policies to ensure that individuals accompanied by assist animals have unrestricted access to the building. The respondent's employees also agreed to attend at a sensitivity training session.

Case 4: Employment
The complainant was on leave from her employment due to illness. She was hospitalized twice and underwent various tests. Her physicians tentatively diagnosed her with irritable bowel syndrome or colitis. After she had been absent for one month, her employer dismissed her. The complainant filed a human rights complaint alleging that her former employer had discriminated against her in the matter of employment on the basis of a physical disability. In a settlement reached by the parties, the respondent agreed to pay to the complainant compensation for general damages, provide a letter of apology and a letter of reference, and attend a human rights seminar provided by the PEI Human Rights Commission.

POLITICAL BELIEF

Case 5: Employment
The complainant was an appointee on a provincial commission. He filed a human rights complaint alleging that his term was not renewed or extended following the 1996 provincial election, because of his political belief. The complainant was a member and active supporter of the opposition party. In a settlement reached by the parties, the respondent paid to the complainant compensation for general damages.

SEX - HARASSMENT

Case 6: Employment
The complainant filed a human rights complaint alleging that she was being sexually harassed by a shift supervisor who was her immediate supervisor on most shifts. The respondent changed the work schedule so that the two employees would not be working the same scheduled shifts but this proposed resolution proved unworkable because the complainant still had contact with the supervisor. The complainant alleged that the employer changed her terms of employment and made her work conditions uncomfortable because she complained. She quit because of the situation. The complaint resolved when the respondent released the alleged harasser from his employment.

SEX - PREGNANCY

Case 7: Employment
The complainant filed a human rights complaint alleging that she was fired from her employment with the respondent because she was pregnant. The complainant who worked at a local laundromat informed the respondent that she was pregnant and wouldn't be able to complete some of the duties required, such as bending and lifting. The complainant was not scheduled to work any shifts after that time. The complainant contacted the respondent and was informed that there was too much lifting and bending involved in the job position. In a settlement reached by the parties, the respondent paid to the complainant compensation for general damages.

Case 8: Employment
The complainant filed a human rights complaint against a professional office alleging that she was discriminated against in employment on the basis of sex/pregnancy. She was released from her employment with the respondent during her maternity leave. In a settlement reached by the parties, the respondent paid to the complainant compensation for lost wages, compensation for general damages. The respondent also agreed to maintain her employee health plan and payment of the employer's portion of the health plan benefits for a period of two months or until she became a participant in another health plan, whichever occurred first.

PUBLICATIONS

The following is a list of publications that are available to the public free of charge from:

- Prince Edward Island Human Rights Commission
- Community Legal Information Association of
  Prince Edward Island, Inc. (CLIA)
  Sullivan Building, Fitzroy Entrance
  PO Box 1207
  Charlottetown PE C1A 7M8
  902-892-0853. Toll-free: 1-800-240-9798

~ PEI Human Rights Commission Information Booklet(also available on line)

~ Know Your Rights in Prince Edward Island

~ Guide to the Complaint Process (also available online)

~ Policies (Administrative)

~ Guidelines for Advertisers

~ Canadian Prohibited Grounds of Discrimination: Employment and Provision of Goods, Services, Facilities and Accommodation

~ Sexual Harassment Policy Statement

~ Fact Sheets: Pre and Post Employment Inquiries (application forms & interviews)

~ Fact Sheet: Rights of Employees and Employers

~ Videos for Loan

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

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lbuell@isn.net

Jacqueline R. O'Keefe
Human Rights Officer
jokeefe@isn.net

COMMISSIONERS
George S. Kells
Chairperson

Richard Noonan
Commissioner

Angela Cormier
Commissioner

AUDITOR GENERAL

CHARLOTTETOWN

PRINCE EDWARD ISLAND

PRINCE EDWARD ISLAND

HUMAN RIGHTS COMMISSION

FINANCIAL STATEMENTS

MARCH 31, 2003

AUDITOR GENERAL

CHARLOTTETOWN
PRINCE EDWARD ISLAND

AUDITOR'S REPORT

To the Commissioners of the
Prince Edward Island Human Rights Commission

I have audited the balance sheet of the Prince Edward Island Human Rights Commission as at March 31, 2003 and the statements of revenues, expenditures, and surplus and cash flows for the year then ended. These financial statements are the responsibility of the Commission's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Commission as at March 31, 2003 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Colin Younker, CA
Auditor General

Charlottetown, Prince Edward Island
April 16, 2003

STATEMENT 1

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

BALANCE SHEET

AS AT MARCH 31, 2003

	2003	2002
ASSETS		
Current Assets		
Cash	$ -	$20,252
Accounts receivable - General	2,770	383
- Province of PEI	9,447	-
Prepaids	1,918	2,873
	$14,135	$23,508
LIABILITIES AND SURPLUS		
Current Liabilities		
Bank advances	$ 3,684	$ -
Accounts payable	10,451	19,860
	14,135	19,860
Surplus - Statement 2	-	3,648
	$14,135	$23,508

(The accompanying notes are an integral part of these financial statements.)

SIGNED ON BEHALF OF THE COMMISSION:

COMMISSIONER: _____

COMMISSIONER: _____

STATEMENT 2

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

STATEMENT OF REVENUES, EXPENDITURES, AND SURPLUS

FOR THE YEAR ENDED MARCH 31, 2003

	2003	2002
Revenues		
Province of P.E.I. - Grant	$315,647	$306,200
CASHRA Conference - Note 5	37,930	-
	353,577	306,200
Expenditures		
Bank charges	20	28
CASHRA Conference - Note 5	48,762	10,272
Cleaning	3,455	3,460
Commissioners' honoraria and expenses	31,665	26,228
Furniture and equipment	2,650	4,239
Memberships and conferences	7,309	12,074
Miscellaneous	1,333	1,646
Office materials and supplies	1,917	4,593
Photocopying	5,770	3,458
Professional fees	1,470	-
Rent	17,500	17,500
Salaries and benefits	224,732	219,108
Snow removal	1,285	1,150
Staff travel	4,093	7,160
Telephone	5,264	4,909
	357,225	315,825
Excess expenditures for the year	(3,648)	(9,625)
Surplus at beginning of year	3,648	13,273
Surplus at end of year	$ -	$ 3,648

(The accompanying notes are an integral part of these financial statements.)

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

NOTES TO FINANCIAL STATEMENTS

MARCH 31, 2003

1. Purpose of the Organization

The P.E.I. Human Rights Commission is a corporate body which is responsible for administering and enforcing the provincial Human Rights Act. The Commission provides education and public information in the field of human rights. The Commission also inquires into and endeavours to effect a settlement of any complaint of a violation of the Human Rights Act filed with the Commission as prescribed by the Act.

2. Significant Accounting Policy

Basis of presentation

These statements were prepared in accordance with Canadian generally accepted accounting principles for non-profit organizations, with office equipment, furniture and computer software expensed in the year purchased.

3. Provincial Appropriations

Legal fees for the year ended March 31, 2003 totalling $13,348 (2002 - $3,136) were paid on the Commission's behalf by the Province of Prince Edward Island through the Office of the Attorney General. These fees are not included in Statement 2.

4. Lease Commitment

The Commission entered into a five-year operating lease for its office premises, covering the period from April 1, 1999 to March 31, 2004. The lease payments are set at $17,500 per annum for each of the five years.

STATEMENT 3

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED MARCH 31, 2003

	2003	2002
CASH FLOWS FROM OPERATING ACTIVITIES		
Cash received from Province of PEI for operations	$306,200	$306,200
Cash received from other sources for operations	35,543	-
Cash paid for salaries and benefits	(224,732)	(219,108)
Cash paid for materials and services	(140,947)	(70,480)
Net increase (decrease) in cash	(23,936)	16,612
Cash, beginning of year	20,252	3,640
Cash (bank advances), end of year	$ (3,684)	$ 20,252

(The accompanying notes are an integral part of these financial statements.)

5. CASHRA Conference

The P.E.I. Human Rights Commission hosted a Conference of the Canadian Association of Statutory Human Rights Agencies (CASHRA) May 26 to May 28, 2002. During the fiscal years ended March 31, 2003 and 2002, conference revenues and expenses consisted of the following:

	2003	2002
Revenues		
Registration fees	$34,425	$ -
Ticket sales	430	-
Sponsorships	1,250	-
Provincial contribution	1,750	-
Other	75	-
	$37,930	$ -
Expenses		
Management fees	$ 2,462	$ 9,000
Meals and entertainment	25,287	-
Registration costs	2,150	-
Meeting expenses	2,565	219
Translations services	6,036	-
Speakers	6,825	-
Office supplies	1,163	215
Postage	392	159
Advertising	196	550
Miscellaneous	1,686	129
	$48,762	$10,272

PRINCE

EDWARD

ISLAND

HUMAN

RIGHTS

COMMISSION

COMMISSION

DES DROITS

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ÉDOUARD

Raylyn Yu won our 2001 Poster Contest.
She is now a student at Colonel Gray High School.